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July 7th, 2014

VIA CM/ECF

Hon. Cheryl L. Pollak, U.S.D.J.  
U.S. District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

RE: Winkworthjr. v. Financial Asset Resolution, LLC, 14-cv-2394(WFK)(CLP)

Dear Judge Pollak:

I am one of the attorneys for the plaintiff in this action. This letter is submitted in response to your Electronic Status Report Order of June 6<sup>th</sup>, 2014 in which you directed the parties to provide a status letter.

The Defendant in this action has indicated both through its representative and through their attorney in past cases that they intend to file bankruptcy in the near future and will not respond to the Complaint in this action. I have attached the email to this letter.

The Plaintiff in this case intends to file a motion for a default judgment in this case within the next 30 days.

I thank the Court for its attention to this matter.

Respectfully Submitted,



Shimshon Wexler

Cc: James Giardina, Esq, via CM/ECF

Katherine Olson, Esq. via email ([olson@messerstilp.com](mailto:olson@messerstilp.com))

/s/ CHERYL POLLAK —

*So Ordered*  
*Cheryl Pollak*  
*Uwsm*  
*7/9/14*